IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO: 22916 of 2004

Between:

P.Seshagiri Rao S/o.Brahmaiah
A/39,S.B.H.Colony, Saidabad,
Hyderabad.

..... PETITIONER

AND

1. The Chairman,

   Gurukulam&Principal Secretary
   Tribal Welfare, Secretariat Buildings,

   Govt of A.P.,
   Hyderabad.

2 The Member Secretary,

   Gurukulam, Telugu Samksema Bhavan
   Masab Tank, Hyderabad.

3 The Joint Secretary Telugu

   Sankshema Bhavan
   Masab Tank,

   Hyderabad.

4 Sri Hafeez Basha, S/o.not known, Principal,
A.P.T.W.U.R.J.C., Adilabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or writ one in the nature of writ of certiorari calling for the records in proceedings Rc.No.B1/7117/2004, dt.7-12-2004 and quash the same as arbitrary, illegal, unjust, unconstitutional and violative of principles of natural justice and inviolation of Article 1 and 16 of the constitution of India and pass such other order or orders.

Counsel for the Petitioner: SMT.N.SHOBA

Counsel for the Respondents: GP FOR SOCIAL WELFARE

The Court at the admission stage, made the following:

THE HON'BLE MR JUSTICE K.C.BHANU

WRIT PETITION NO: 22916 of 2004

ORDER:

Challenging the impugned proceedings in Rc.No.B1/7117/2004, dated 07-12-2004, directing the petitioner to hand over the charge and report before the Principal, A.P.Tribal Welfare Residency Junior College, Adilabad, as Junior Lecturer (Sanskrit), the present writ petition has been filed.

2. The learned counsel appearing for the petitioner vehemently contended that without giving any prior notice, the impugned proceedings are issued and since the children of the petitioner have been studying in Hyderabad, a direction may be issued to the respondents to continue the petitioner in the same station at least till the end of this academic year.

3 . The learned Government Pleader for Social Welfare, appearing for the respondents, opposed the same.

4. The petitioner was deputed to work as an Officer on Special Deputy, Head Officer, Gurukulam. After 13-05-2003, the deputation of the petitioner has not been extended, be that as it may, he was continued as an Officer on Special Deputy till the impugned order is passed. No right whatsoever is accrued to the writ petitioner to challenge the deputation, since he is bound to go to the parent department. Therefore, there is no need for the respondents to give any prior notice before cancellation of deputation. So, the order under challenge does not suffer from any serious infirmities so as to call for interference by this Court.

5. However, considering the fact that the deputation of the petitioner is cancelled in the middle of the academic year and the children of the petitioner are studying in College at Hyderabd, which will cause hardship to the petitioner, the petitioner is directed to make an application before the 1st respondent and the same shall have to be considered in accordance with law.

6. Accordingly, the writ petition is disposed of. There shall be no order as to costs.

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December 10, 2004

Note:

Wire at party's cost.

B/o.

KVR
TO

1. The Chairman Gurukulam & Principal Secretary,

   Tribal Welfare,

Secretariat Buildings,

Govt of A.P., Hyderabad.

2 The Member Secretary

Gurukulam, Telugu Samksema Bhavan
Masab Tank, Hyderabad.

3 The Joint Secretary Telugu

Sankshema Bhavan
Masab Tank, Hyderabad.

4 Two C.Cs. to G.P. for Social

Welfare, High Court buildings,

High Court of A.P., Hyderabad.

5 Two C.D. Copies.